

## **DEPARTMENT OF THE NAVY**

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON, D.C. 20370-5100 TRG

Docket No: 5563-99 17 November 2000



Dear

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Headquarters Marine Corps, dated 20 September 2000, a copy of which is enclosed.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection the Board substantially concurred with the comments contained in the advisory opinion.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER Executive Director

Enclosure



## DEPARTMENT OF THE NAVY HEADQUARTERS UNITED STATES MARINE CORPS 3280 RUSSELL ROAD QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1040 CMT 20 Sep 00

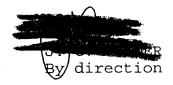
MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

Subj: ADVISORY OPINION IN THE CASE OF

Ref: (a) BCNR Docket #05563-99

In response to the reference, the following comments are provided. A satisfactory year in the Selected Marine Corps Reserve, for retirement purposes, is based on an anniversary The anniversary year is a period of 12 consecutive months during which a member must accrue a minimum of 50 points if such period is to be credited as a qualifying year for retirement purposes. Retirement points earned during an anniversary year cannot be credited for any other anniversary year other than when the points were earned. The anniversary year that Sergeant Deis is requesting correction to contains no errors. Sergeant Deis obtained a total of 45 points during the anniversary year, which does not constitute a satisfactory year for retirement purposes. The satisfactory or unsatisfactory year for retirement purposes is not a statement of the member's service, therefore does not have a negative impact on Sergeant Deis' service record. our opinion, that Reserve Retirement Record is correct.

2. Point of contact for this matter is Staff Sergeant (CMT) at (703) 784-0523.



## CAREER RETIREMENT CREDIT RECORD

11/13/2000 11:23:38

RUC: 21626 COMPANY CODE: 2 PRES-GRADE: 01 RECSTAT: E COMP CODE:

PLT CODE: 2BDE TRNGRP: A R-RECSTAT: 0 RCOMP CODE: KA

ANNV:	20010831 PEBD; 1994	^									102
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## CAREER TOTALS

MEMBERSHIP POINTS NON-PAID	ACTIVE DUTY POINTS PAID
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